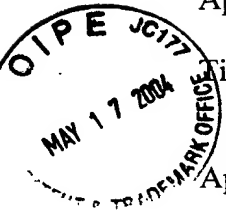


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael D. MACKLIN et al.
Title: MYCOBACTERIUM TUBERCULOSIS
IMMUNIZATION
Appl. No.: 09/501,328
Filing Date: 2/9/2000
Examiner: Rodney B. Swartz
Art Unit: 1645



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

05/18/2004 CCHAU1 00000171 09501328
02 FC:1806 180.00 OP

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

Document no. WO 00/13704 is in a foreign language. For relevance, an English-language Abstract is included. An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

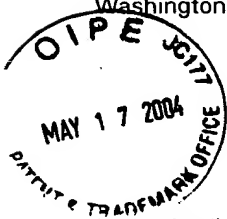
Date May 17, 2004

FOLEY & LARDNER LLP
Customer Number: 27476
Telephone: (202) 672-5483
Facsimile: (202) 672-5399

By Richard C. Peet

Richard C. Peet
Attorney for Applicant
Registration No. 35,792

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FORM PTO-1449 (Modified)
LIST OF PATENTS AND PUBLICATIONS
FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT
(Use several sheets if necessary)
Sheet 1 of 6

In the Application of

Serial No.: 09/501,328

Art Unit:

Filed:

Examiner:

Title:

U.S. PATENT DOCUMENTS

Exam. I nit.	Ref. Desig.	Document No.	Date	Name	Class	Sub Class	Filing Date
		4,629,782	12/16/86	Chan et al.			
		4,945,050	7/31/90	Sanford et al.			
		4,980,286	12/25/90	Morgan et al.			
		4,981,782	Jan. 1, 1991	Judd et al.			
		5,036,006	Jul. 30, 1991	Sanford et al.			
		5,091,188	2/25/92	Haynes			
		5,100,792	3/31/92	Sanford et al.			
		5,120,657	7/9/92	McCabe et al.			
		5,149,655	9/22/92	McCabe			
		5,179,022	1/12/93	Sanford et al.			
		5,204,253	4/20/93	Sanford			
		5,330,754	7/19/94	Kapoor et al.			
		5,371,015	12/6/94	Sanford et al.			
		5,478,744	12/26/95	Sanford et al.			
		5,504,005	4/2/96	Bloom et al.			
		5,584,807	12/17/96	McCabe			
		5,589,466	12/31/96	Felgner et al.			
		5,591,632	1/7/97	O'Donnell et al.			
		5,630,796	5/20/97	Bellhouse et al.			

Examiner:

Date Considered:

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In the Application of

Serial No.: 09/508,328

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Title:

		5,658,892	8/97	Bellhouse et al.			
		5,731,151	3/24/98	King et al.			
		5,738,852	4/14/98	Robinson et al.			
		5,750,384	5/12/98	Jacobs et al.			
		5,773,267	6/30/98	Jacobs et al.			
		5,776,465	7/7/98	O'Donnell et al.			
		5,854,055	12/29/98	Bloom et al.			
		5,865,796	2/2/99	McCabe			
		5,899,880	5/4/99	Bellhouse et al.			
		6,004,286	12/21/99	Bellhouse et al.			
		6,010,478	1/4/2000	Bellhouse et al.			
		6,013,050	1/11/2000	Bellhouse et al.			
		6,168,587	1/2/2001	Bellhouse et al.			
		6,194,389	2/27/2001	Johnston et al.			

Examiner:

Date Considered:

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Sheet 3 of 6

In the Application of

Serial No.: 09/501,328

Art Unit:

Filed:

Examiner:

Title:

FOREIGN PATENT DOCUMENTS

Exam. Init.	Ref. Desig.	Document No.	Publication Date	Country or Patent Office	Class	Sub Class	Translation YES NO	
		WO 89/05349	June 15, 1989	PCT				
		WO 90/01949	March 8, 1990	PCT				
		WO 91/00359	Jan. 10, 1991	PCT				
		WO 91/07487	5/30/91	PCT				
		WO 93/19183	Sept. 30, 1993	PCT				
		WO 94/09819	5/11/94	PCT				
		WO 94/21797	Sept. 29, 1994	PCT				
		WO 94/24263	10/27/94	PCT				
		WO 95/19799	7/27/95	PCT				
		WO 95/20660	Aug. 3, 1995	PCT				
		WO 96/04947	2/22/96	PCT				
		WO 96/12513	5/2/96	PCT				
		WO 96/14855	5/23/96	PCT				
		WO 96/15241	5/23/96	PCT				

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Title:

		WO 96/20022	7/4/96	PCT				
		WO 97/32987	9/12/97	PCT				
		WO 97/40163	10/30/97	PCT				
		WO 97/48485	12/24/97	PCT				
		WO 98/10750	3/19/98	PCT				
		WO 98/46263	10/22/98	PCT				
		WO 99/27961	6/10/99	PCT				
		WO 00/12121	3/9/2000	PCT				
		WO 00/13704	3/16/2000	PCT				
		EP 0213894A3	March 11, 1987	EP				
		EP 0390435 A	10/3/90	EP				

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In the Application of

Serial No.: 09/501,328

Art Unit:

Filed:

Examiner:

Title:

OTHER DOCUMENTS (including Author, Date, Journal, Volume, Pertinent Pages, etc.)

Exam. Init.	Ref. Desig.	Description
		"Remington's Pharmaceutical Sciences (1980) Mark Publishing Company, Pennsylvania, pp1483-1484 and 1535
		Townsend et al. (1984) <i>Cell</i> <u>39</u> :13
		Townsend et al. (1985) <i>Prog. Allergy</i> <u>36</u> :10
		Sanford et al. (1987) "Delivery of substances into cells and tissues using a particle bombardment process," <i>Particulate Science and Technology</i> <u>5</u> :27-37
		Klein et al (1987) "High velocity microprojectiles for delivering nucleic acids into living cells," <i>Nature</i> <u>327</u> :7-73
		Tang et al. (1988) <i>J. Virology</i> <u>62</u> :4745-4751
		Zelenin et al. (1989) "Genetic transformation of mouse cultured cells with the help of high-velocity mechanical DNA injection," <i>FEBS Letters</i> <u>244</u> :65-67
		Milich (1989) <i>Advances in Immunology</i> <u>45</u> :195
		S.A. Johnston (1990) "Biolistic transformation: microbes to mice," <i>Nature</i> <u>346</u> :776-777
		Poznansky et al. (1991) <i>J. Virology</i> <u>65</u> :532-536
		Haynes et al. (1991) <i>Mol. Immunology</i> <u>28</u> :231-234
		Rhim et al. (1991) <i>J. Virology</i> <u>65</u> :4555-4564

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Sheet 6 of 6

In the Application of

Serial No.:

Art Unit:

Filed: 09/501,328

Examiner:

Title:

Exam. Init.	Ref. Desig.	Description
		Rousseaux-Prevost et al. (1991) <i>Molecular Immunology</i> <u>28</u> :943-949
		Haynes et al. (1994) <i>Aids Res. and Human Retroviruses</i> <u>10</u> (suppl..2):S43-S45
		Sedegah et al. (1994) <i>Proc. Natl. Acad. Sci. USA</i> <u>91</u> :9866-9870
		Fynan et al. (1995) <i>Int. J. Immunopharmac.</i> <u>17</u> :79-83
		Sarphie et al. (1997) <i>J. Controlled Release</i> <u>47</u> :61-69
		Morris et al. (2000) <i>Vaccine</i> <u>18</u> :2155-2163

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